

JOURNAL  
OF THE  
Commons House of Assembly  
OF  
South Carolina  
November 20, 1706—February 8, 1706 / 7


Dar. Rm.  
F272  
S72  
Nov. 1706/  
Feb. 1707

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# JOURNAL

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## Commons House of Assembly

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## South Carolina

November 20, 1706—February 8, 1706 / 7

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Edited by

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Secretary of the Historical Commission of South Carolina

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S7a

Nov. 1706/

Jul. 1707

Att a Generall Assembly held at Charles Town the Sixth day of March 1706 According to Severall Adjournments and Prorogations to the Twentieth day of Novemb<sup>r</sup>: 1706/

The House mett

Motion being made that the Govern<sup>r</sup> and Councill be Acquainted that they are an House which being done by m<sup>r</sup> Motte and m<sup>r</sup> Midleton./

A Message from the Govern<sup>r</sup> and Councill by m<sup>r</sup> Barnwell that this House Attend them im<sup>e</sup>diately

The House attended the Govern<sup>r</sup> and Councill Accordingly Being Returned m<sup>r</sup> Speak<sup>r</sup> acquainted the House that the Govern<sup>r</sup> had made a Speech to them which he Read and is as ffoloweth Viz<sup>t</sup>.

Gentlemen/

Since the last time I mett you in this publick man<sup>r</sup>, you all know how wee were Attacked by our publick Enemies the ffrench and Spaniards, and though they happened to Invade us at a time when the Sickness was amongst us, yet it pleas'd God not only to deliver us ffrom the rageing of the Sickness, but also from the Violence and Malice of Our Publick Enemies by giving us Victory Over them with the loss but of one man on Our Side./

You know how by the Orders of your House you have tyed up my hands and Appropriated all Sorts of money, so that upon no Occasion I can draw out money out of the publick treasury, I Suppose this Occasion hath Sufficently convenced you of the unreasonableness of Such Management, ffor if I would not have Ingaged my own Reputation to See persons paid, the Town and Countrey must have been utterly lost or at least insulted by the Enemy ffor you cannot Suppose it reasonable for me to Call an Assembly when the Enemy were makeing their Attacks upon us,

You all know the Bargain I have made with Cap<sup>t</sup> Kimber ffor the Transporting the Prissio<sup>rs</sup>, and therefore I need not Repeat it./

In Order to make this alarm as little Charge to the Countrey as may be I must Infforme you that I had brought the Land Gen<sup>l</sup>: with Several of the officers to Consent to pay ten Thousand pieces of Eight as <sup>1</sup>

<sup>1</sup>The sentence is unfinished on the engrossed journal and the governor's speech is not recorded in the "foul" journal, but there is merely: "Enter the Govern<sup>rs</sup> Speech"

But when all was Concluded I was Surpriz'd with two Petitions One of which was Signed by Severall of your Members wherein you Assurr'd me that all Care shall be taken to Satisfy all losses upon this Occasion, w<sup>ch</sup> made me give my Self no ffurther trouble in Refference to that Affair And therefore I question not but you will now ffind the easiest and quickest method you can to discharge those debts, and by giveing Such Reasonable Satisfaction to all persons Agrieved that so there may be no Just grounds ffor Clamours and Complaints./

I must also desire your Advice what to do with these prisoners that are still in our Coustody, and are a Considerable Charge to us./

Haveing given you this accot. of our publick enemys I Suppose I need not tell you of our Domestick ffoes who are still busy with their ffalse and Malitious Complaints ag<sup>st</sup> us by their Agent m<sup>r</sup> Boon in England./

As to that Clause in the Church Act Relateing to the Constituting the Twenty Commissio<sup>rs</sup> you are all Sensible of the printed Votes of the House of Lords and their Address to her Majesty what Offence it hath given. And therefore in Order to the giving ffull Satisfaction. in that affair to my Lords the Bishops in England And to the Scoiety<sup>1</sup> ffor propagateing the gospell who are Offended with us ffor the Same, and in order to Settle the Church of England in this province by an Act of Assembly so as that it Shall be no way disliked in England, I do propose it to you to Repeal all the Acts of Assembly in this province that relate to the Establishing of Churches there being Severall of them, and then that you would pass one generall Act ffor the Establishing of the Church of England in this province without that clause of giveing the Commissio<sup>rs</sup> a power to Remove the Clergy. All of you know that the passing of that Clause was in Order to gett rid of the pest of the Countrey M<sup>r</sup> Marston who hath been a Com'on Incendiary in this province. And hath been the Cause of those differences and Animosities between him and the Parrishioners of S<sup>t</sup> Philips in Charles Town that he be Suffer'd to be Minister of it the people will Generally fforsake the Church ffor the prevention of which Evill I Recom'end it to you that by a particular

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<sup>1</sup>Society. This was an unusual error for one who wrote as beautiful a hand as the clerk who engrossed this journal wrote.



Clause in the Church Act you would disable Mr Marston from ever being minister of Charles Town, and when we are Ridd of him I hope we shall never be so unfortunate as to have any more Such turbulent Spirits Sent amongst us./

In the Church Act you all know that there is provision made but only for One Church for Colleton County which we think is but too little and therefore we Recom'end to you the Constituting one more parish and Church in Colleton County./

When the Church is thus Settled I hope we Shall all be happy by it, and as the Main end of passing the Act against the dissenters was to Enable us the better to provide for the Safety of the Church of England, so when the Church of England is Settled upon a firm and lasting foundation as is now proposed I Suppose the Repealing the Act against the dissenters can be no prejudice to us of the Church of England./

I do now propose to you that upon the passing of the general act for the Security of the Church as before proposed that then I shall be ready to Joyn with you in the Repealing of the Act against the dissenters Sitting in the Assembly./

I must again put you in mind of finishing our fortifications w<sup>ch</sup> under God hath been Our Security and will be a future terrour to Our Enemies and deter them from giving us any more Such Visitts./

With grief considering the loss of many of Our friends and Inhabitants by the late Sickness, which though I cannot Attribute the Original to it yet the Continuance of it may, to the Nasty Keeping of the Streets in the Town which requires Some regulac'ons either by making Com'on Shores or at least appointing Scavengers.

I must put you in mind again of the Indian Trade which will undoubtedly bring us under Evill Circumstances with the Indians by the Multitude of Indian Traders that now more and more pester that Trade which the Numbers for their own Advantage value not what the Consequence will be of w<sup>ch</sup> I doubt not but this Sessions Sessions will give you an Instance./

Pray Gentlemen Remember to give their Lord<sup>ships</sup>— an Answer about the Constitutions for you See how I am blamed in print, though not guilty of not putting you in mind of your Duty in Reference to that but Inventing a lye and then give-

ing it our ffor truth is no new thing with those that hate us, and our manner of Worshipping god which they look upon as Idollatrous as well as our Selves unfitt to Serve the publick in any Station, which is the true and only greivance of their very hearts and Souls

The Lords prop<sup>rs</sup> haveing made a donation towards the Publick Charge, makes it their desire y<sup>t</sup> you would ffind Some Method of more Ease to the people and less Charge to themselves to gett their rents paid./ N Johnson

Resolved that the matter Contained in the Said Speech be Refferr'd to be Consider'd to morrow morning

Upon Motion

Orderd that the Govern<sup>rs</sup> Speech lie on the Table  
The House Adjourn'd to the House of Cap<sup>t</sup> John Collins till to Morrow morning Eight a Clock./

Thursday Nov<sup>r</sup>: the 22<sup>d</sup>. 1706/<sup>1</sup>

The House mett According to Adjournm<sup>t</sup>.

D<sup>r</sup>. Charles Burnham moved the House for their Opinion whether they were a house, upon w<sup>ch</sup>:

The House fell into the Debate of that matter

Order'd that the further Debate of that matter be defferr'd till to morrow. and then the  
House Adjourn'd till to morrow morning nine a Clock

Friday Novemb<sup>r</sup> 22<sup>d</sup>. 1706/

The House mett According to adjournment

The House Reassumed the fformer Debate and the Question being put whether this House is of Opinion they are a House or not

Carried in the affirmative

Resolved

That this House will Observe their own Coustoms Relateing to their Assemblies, which by Experience have been ffound Convenient ffor this province and Constantly practiced in the Same./

Resolved

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<sup>1</sup> Should have been 21<sup>st</sup>.

That it is the Opinion of this House that this House of assembly now mett is a Lawfull Assembly of this province and may proceed to the Enacting of Laws and the dispatch of all other publick Affairs According to the Usual methods of Assemblies as Lawfully to all Intents and purposes

Motion being made, that fforasmuch as this House intends to proceed to Inquire into the Estate of Affairs among our Neighbouring Indians Sundry persons who are to attend this House to give them Infformac'on in that matter are in Debt, and are affraid their Credidors will Serve them with process may have the Protection of this House Comeing and goeing./

Resolved

That all Such persons as are Sent ffor by the Right Hon<sup>r</sup>ble: the Govern<sup>r</sup> or by this House, or Voluntarily Come to Informe them in the p<sup>r</sup>misses have the protection of this House Comeing and gceing against all Arrests Except ffor breach of the Peace./

Upon Motion Order'd that m<sup>r</sup> Rich<sup>d</sup>. Edghill and John Cockett be Sent ffor by the Messenger Attending this House in Order to Informe this House what they know Relateing to the Severall Abuses Committed amongst the Indian Traders and that they Attend this House on Monday morning next—

The House Adjourn'd till to morrow morning nine a Clock./

Saterday Novembr 23<sup>d</sup> 1706

The House mett according to Adjournment

The House being acquainted that M<sup>r</sup> John Pight attended bellow Stairs and desir'd to be heard in Relac'on to the greivances which our Neighbouring Indians lie under and Complaine of

Order'd

That the said John Pight be Sent ffor up and haveing acquainted this House that he could be more ready and better prepared to Attend and Informe this House of the Circumstances of the Indian on Tuesday next and then withdrew./

Order'd

That the Said John Pight do Attend this House on Tuesday next and bring with him Such Indians as he knows can make

appeare to this House any matters and things relateing to the Indian Affairs./

Order'd

That Ralph Izard and James Risbee Esq<sup>rs</sup>, Cap<sup>t</sup> Rob<sup>t</sup>. Seabrooke M<sup>r</sup> Arthur Middleton, M<sup>r</sup> John Woodward M<sup>r</sup> John Abra Motte Cap<sup>t</sup> Edward Loughton and Cap<sup>t</sup> Abraham Eve be a Committee to Examine all white persons upon Oath Concerning Greivance of the Indian Trade, and that they Send ffor persons papers and Records and Report their opinion of the Same to this House on Monday next./

Upon Motion Orderd

That Col<sup>l</sup> George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> do lay his Acco<sup>ts</sup>. beffore this House on Monday next./

Upon Motion Order'd that those Members that are absent be Sent ffor by the Messinger Attending this House and that the Clerk Sign the Same./

Motion being made by m<sup>r</sup> Thomas Barton that D<sup>r</sup> Charles Burnham a Member of this House Reffuseing the Service of this House be taken into the Coustody of the messinger Attending this House and

The Question being put whether the said Charles Burnham for his Contempt to this House be taken into the Coustody of the Messinger Attending this House./ it was

Carried in the Affirmitive./

Order'd

That D<sup>r</sup> Charles Burnham a Member of this House Reffuseing his Attendance on the Service of this House be taken into Coustody of the Messinger of this House and that M<sup>r</sup> Speak<sup>r</sup>: Sign this Order

W<sup>m</sup>. – Rhett Speak<sup>r</sup>.

A Message ffrom the Govern<sup>r</sup> and Councell by m<sup>r</sup> Barnwell with a Petition Sign'd by Severall masters and Owners of Vessells Recom'ended to the Considerac'on of this House as a Reasonable petition./

Upon Reading the Petition of Sundry Masters and Owners of Vessells and ffor the reasons therein Sett fforth./

Order'd

That the Clerke of the House Affix up a paper at Some publick place in Charles Town to give Notice to all persons to whome the Countrey is Indebted upon the late Invasion or otherwise



that they bring in their Acco<sup>ts</sup>: to the Said Clerke by Tuesday next in Order to be laid beffore this House  
Order'd

That a Committee be appointed to Inspect into all Such Acco<sup>ts</sup>. as shall be laid beffore them by masters of Vessells and others relateing to the late Invasion and that they Examine the Same and Report their Opinion thereof to this House on Thursday next and M<sup>r</sup> Lewis Pasquereau M<sup>r</sup> John Abraham Motte and M<sup>r</sup> Arthur Middleton were appointed a Committee Accordingly./

Upon Reading the Petition of Cap<sup>t</sup> Thomas Spread Order'd that the said Committee do Examine into the matters contain'd in the said Petition of Cap<sup>t</sup> Thomas Spread and Report their Opinion thereof to this House./

Upon Reading the Petition of Cap<sup>t</sup> W<sup>m</sup>. Yong Master of the Briggantine Nicholas and ffor the Reasons therein Sett fforth/

Order'd

That the publick Receiv<sup>r</sup>. Receive no Duty of the said William Yong ffor Such Tobacco as he Shall have Occas'on to Land ffor the Repaireing and Refitting of his Vessell

Motion being made by M<sup>r</sup> Arthur Middleton that he may have leave to bring in a Bill to Repeal the Church Acts and the Act against the dissenters and that he may bring in a Bill to Settle the Church's in Carolina

Order'd

That he have leave to bring in the Said Bills./

The House Adjourn'd till Monday morning nine a Clock./

Monday Novembr 25<sup>th</sup>. 1706

The House mett according to Adjournment

Coll George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> According to Satterdays Order brought in his Acco<sup>ts</sup>.

Order'd that the said acco<sup>ts</sup> lie upon the Table./

The Committee to whome it was Committed to Examine all white persons upon Oath Concerning the Greivances Complain'd of by Our Neighbouring Indians Report that they had Examined Severall white persons upon Oath and had Sev-

erall Others to Examine in Relac'on to those matters and desir'd  
leave to Sitt again to peffect the Said Examinac'on  
Order'd

That the Said Committee have leave to Sitt again and to Re-  
port their Opinion to this House on Thursday next./

The said Committee Informeing this House that John Mus-  
grove is much Complain'd of and often menc'oned in the Ex-  
aminac'ons they have taken already and desire to know whether  
the Said Musgrove be Sent ffor down and Order'd to attend  
this Assembly./

Order'd

That a Message be Sent to the R<sup>t</sup> Hon<sup>ble</sup>: the Govern<sup>r</sup> and  
Councell and desire to know of his Hon<sup>r</sup>. whether he had  
Sent ffor the said Musgrove down by his Express Com'and or  
no And m<sup>r</sup> Izard and M<sup>r</sup> Woodward went accordingly, and be-  
ing Return'd the House that the Govern<sup>r</sup> Inform'd them that  
he Sent ffor the Said John Musgrove Sam<sup>l</sup>: Edmundson and  
Philip Gillard and Com'anded them to be down in Charles  
Town the Twenty fforth Instant

Read the Request of D<sup>r</sup> Charles Burnham praying, that  
his Circumstances Consider'd being very Sick and weak this  
House would be pleas'd to discharge him from his Com'ittment  
Order'd

That the said Charles Burnham in Coustody of the Messinger  
ffor Absenting ffrom the Service of the House be discharged  
from from the Coustody of the Messinger paying his ffees he  
being Sick/

According to Order M<sup>r</sup> Arthur Middleton brought in two  
Bills Viz<sup>t</sup> A Bill ffor the Establishmt. of Religious worship  
&c<sup>a</sup>. and A Bill to Repeal Severall Acts within menc'oned.

Order'd

That they lie on the Table./

The House Adjourn'd till to morrow morning nine a  
Clock/

Tuesday Novemb<sup>r</sup> 26<sup>th</sup>. 1706/

The House mett According to Adjournment./

A message from the Govern<sup>r</sup> and Councill by m<sup>r</sup> Barnwell with Sundry Petitions Recom<sup>d</sup>ended to the Considerac<sup>o</sup>n of this House./ upon Moc<sup>o</sup>n,

Order'd

That they lie upon the Table./

A Bill to Repeal the Severall Acts within menc<sup>o</sup>ned, was Read a first time and past with Amendments./

A Bill ffor the Establishment of Religious worship &<sup>ca</sup> was Read a first time and past with Amendments./

Upon Reading the Petition of m<sup>r</sup> John Crosskeys Relateing to the Duty of Two Negro's/

Order'd

That the Publick Receiv<sup>r</sup>. make no demand from the said Crosskeys of the Duty of the said Two Negro's./

The House Adjourn'd till to morrow morning nine a Clock

Wensday Novemb<sup>r</sup> 27<sup>th</sup>. 1706

The House mett according to adjournment

A Message from the Govern<sup>r</sup> and Councell by M<sup>r</sup> John Barnwell with Two Bills and Sundry Lett<sup>rs</sup>: relateing to the Indian Trade

upon motion

Order'd

That the said Lett<sup>rs</sup>. be Referr'd to the Considerac<sup>o</sup>n of the Com<sup>i</sup>ttee appointed to Examine into the State of the Indian Trade./

Upon Motion Order'd

That a Committee be appointed to Examine the Publick Acco<sup>ts</sup>. and that M<sup>r</sup> Lewis Pasquereau m<sup>r</sup> John Abraham Motte m<sup>r</sup> Thomas Barton, Cap<sup>t</sup> David Davis Cap<sup>t</sup> Jonathan fitch and m<sup>r</sup> William Bull are appointed a Committee accordingly and they to Examine of what has been Expended in the last Invasion and Report their Opinion to this House on ffriday next./

Upon Reading the petition of John Corker a Negro man  
bellinging to m<sup>r</sup> John White relateing to his ffreedome./  
Order'd

That the said John Corker do make good the Allegac'ons in his  
petition menc'oned and it is ffurther Order'd at the Request  
of the Said Petiti<sup>o</sup>r. that M<sup>r</sup> John Evans, m<sup>r</sup> Jonathan Gib-  
bons and M<sup>r</sup> Henry Gill do Attend this House to morrow morn-  
ing

Upon Motion Order'd

That Cap<sup>t</sup> Abraham Eve, Cap<sup>t</sup> Witmarsh m<sup>r</sup> John Abraham  
Motte and Cap<sup>t</sup> Jonathan ffitch be a Committee to prepare and  
bring in a Bill ffor makeing packers on Thursday next

The House Adjourn'd till to Morrow morning Nine a  
Clock

Thursday Novembr 28<sup>th</sup>. 1706

The House mett According to Adjournment

A Bill to Repeal the Severall Acts within menc'oned was Read  
a Second time and Order'd to be Ingross'd

Upon Reading the petition of Thomas Dalton relateing to  
the packers place of Charles Town./

Order'd

That the said petition lie upon the Table./

Upon Reading the Bill ffor the Establishment of Religious  
Worship &c<sup>a</sup> and upon reading the paragraph relateing to the  
Sallaryes of the Countrey Minister Motion being made and  
the Question being put whether the Countrey Minister three  
years after the Ratificac'on of this Act Instead of being paid  
fifty pounds ꝑ Annum be paid One Hundred ꝑ Annum

Carried in the affirmative./

A Bill ffor the Establishment of Religious Worship &c<sup>a</sup> was  
read a Second time and Order'd to be Ingross'd./

According to Order M<sup>r</sup> John Abraham Motte brought in a Bill  
ffor makeing packers &c<sup>a</sup> which was Read the ffirst time and  
past with Amendments

Motion being made by Coll- James Risbee that he may have  
leave to bring in a Bill ffor the Removeing and preventing all  
Questions and disputes Concerning the Sitting of this pres-



ent Assembly which was Read the first time and past with Amendments

Order'd

That Mr Thomas Barton and Cap<sup>t</sup> Rob<sup>t</sup> Daniell do Carry the said Bills to the Govern<sup>r</sup> and Councill./

Coll- James Risbee One of the Committee to whome the Indian Trade was Refferr'd according to Order Reported their Opinion of the great greivances and abuses Com<sup>itted</sup> Amongst them, praid leave to bring in a Bill to Regulate the Same and also to bring in a Bill to Revive Such Acts as are near Expiring Order'd that Coll James Risbee Ralph Izard Esq<sup>r</sup> Mr Middleton Mr Woodward m<sup>r</sup> Bull Mr Wigington and Cap<sup>t</sup> Rob<sup>t</sup> Seabrooke be a Committee to prepare and bring in two Bills accordingly on Saturday Morning next./

The House Adjourn'd till to morrow morning nine a Clock

ffriday Novembr. the 29<sup>th</sup>. 1706/

The House mett according to Adjournment

A Message from the Govern<sup>r</sup> and Councill by Nicholas Trott and Henry Noble Esq<sup>rs</sup>. with three Bills and a Lett<sup>r</sup> ffrom the Bishop of London directed to the Govern<sup>r</sup> & Councill and Assembly w<sup>ch</sup> was read accordingly

Upon Debate Concerning the Illcumbee Indians and the Question being put whether the Illcumbee Indians shall be declar'd ffree people by this House./

Carried in the Affirmative

A Message to the Govern<sup>r</sup> and Councill by Ralph Izard Esq<sup>r</sup> and Cap<sup>t</sup> Rob<sup>t</sup>. Seabrooke./

May it please yo<sup>r</sup> Hon<sup>r</sup>./

Upon Debate concerning the Illcumbee Indians it is the Opinion of this House that the Illcumbee Indians be declar'd ffree people and desire your Hon<sup>rs</sup>- Concurrance thereto, and that your Hon<sup>r</sup> be pleas'd to Send ffor the Indians now in Town and Signifie it to them, and give an Ord<sup>r</sup> to Cockett to see your Hon<sup>rs</sup> Com<sup>ands</sup> and Orders Executed and that a present of about ffifty or ffifty pounds may be made to them by your Hon<sup>r</sup> ffor their Conducting them out the Enemies Countrey into this Goverment And we ffurther desire your

Hon<sup>r</sup> to remove the said Illcombees ffrom the place they now  
Sett down in to Some other place as your Hon<sup>rs</sup> shall think  
fitt./ W<sup>m</sup> Rhett Speak<sup>r</sup>.

Mr Izard being returned acquainted the House that the Gov-  
ern<sup>r</sup> was of the Same opinion with the House

Upon Reading the Petition of m<sup>r</sup> James Ingerson and Mar-  
garett his Wife Relateing to the Sale ffor his House & Land—

Order'd that the Allegac'ons in the said petition be Referr'd  
to m<sup>r</sup> Lewis Passquereau and m<sup>r</sup> Thomas Barton and that they  
Report their opinion thereof to this House to morrow morning

A Motion being made by m<sup>r</sup> Henry Wigington on the behalfe  
of Cap<sup>t</sup> John flavell that leave may be given to bring in a  
Bill to add and alter a Paragraph in an Act Entituled an  
Act ffor Settling the Estate and Title of Cap<sup>t</sup> John flavell  
in his possession in one halfe quarter part of a Town Lott in  
Charles Town N<sup>o</sup>. Eleven fformerly granted to Rob<sup>t</sup>. Mayo and  
the buildings erected thereupon

Order'd

That leave be given to the said Cap<sup>t</sup> John flavell to bring in  
a Bill accordingly

Mr John Abraham Motte according to Order Reported from the  
Committee to whome it was Referr'd to Examine the publick  
Acco<sup>ts</sup>: that they had finished the Same w<sup>ch</sup> he Read in his  
place and afterwards deliver'd in at the Table

Resolved

That this House will on Monday next Resolve it self into a  
Committee of the whole House to Consider of ways and means  
to pay the publick debts Contracted in the late Invasion./

An Additional Bill to an Additionall Act &c<sup>a</sup> was Read the  
Second time and Order'd to be Ingross'd

The House Adjourn'd till to morrow morning nine a Clock.

Saturday Novemb<sup>r</sup> the 30<sup>th</sup>. 1706/

The House mett according to Adjournment./

A Message from the Govern<sup>r</sup> and Councell by Mr Barnwell with  
Sundry papers relateing to m<sup>r</sup> Pight and the packers Bill

Upon Motion Order'd that they lie upon the Table./

Upon ffurther debateing the petition of John Corker a Negro  
man belonging to m<sup>r</sup> John White and the Question being put

whether the said Negro Man should be free or not according to the Act

Carried in the affirmative./

Upon Motion Order'd that Mr John white be first paid for the Negro man before any other publick Debts be paid—

Upon Motion Order'd that Mr Arthur Middleton and Mr Tho: Barton acquaint the Governr that this House hath freed John Corker a Negro belonging to Mr John White and to desire his Honr that he would appoint three freeholders to value the said Slave as the Act directs, and being return'd Inform'd the House that the Governr would do as the House desir'd him/

A Bill to Repeal the Severall Acts within menc'oned was read a third time and past into a Law./

Upon Motion Order'd that John Cockett Indian Trader be Allow'd five pounds for his Attendance on this House./

A Bill for the Establishment of religious Worship &c<sup>a</sup> was read a third time and past into a Law./

Mr Witmarsh praid leave to depart the Service of this House during this Sessions./

Order'd

That Mr Witmarsh have leave to depart the Service of this House during this Sessions

Upon Motion Order'd that Mr John Pight depart not out of Town till further Orders from this House./

Upon Motion Order'd that all those Members of this House absenting themselves from the Service thereof do give their Attendance on Tuesday next

The House Adjourn'd till Tuesday next

Tuesday Decemb<sup>r</sup> 3<sup>d</sup>. 1706

The House mett according to Adjournment—

According to Order the House Enter'd themselves into a Grand Committee of the whole House to Examine the publick Acco<sup>ts</sup>. of the Charges of the late Invasion

Mr Speaker left the Chair and after Some debate

Mr Speaker Reassum'd the Chair

The Chair man of the said Committee Reported that they had made Some progress therein and praid leave to Sitt again.

Resolved

That the said Committee have leave to Sitt again to morrow morning.

The House Adjourn'd till to morrow morning nine a Clok

Wensday Decembr the 4<sup>th</sup>: 1706/

The House mett according to adjournment.

The House according to Yeasterdays Resolution Resolv'd it Self into a Committee of the whole House and Mr Speak<sup>r</sup> left the Chair/

And after Some debate Mr Speak<sup>r</sup> Reassum'd the Chair.

The Chairman of the Committee Reported that they had made Some progress therein and praid leave to Sitt again

Resolved

That the Said Committee Sitt again to morrow morning

The House Adjourn'd till to morrow morning nine a Clock

Thursday Decembr the 5<sup>th</sup> 1706

The House mett according to adjournment

The House according to yeasterdays resolution Resolv'd it Self into a Committee of the whole House and Mr Speaker left the Chair./

The Grand Committee being Inform'd of a message from the Govern<sup>r</sup> and Councill by Mr Barnwell with an Instrument relateing to Mr Edward Marston ffrom the Lords propriet<sup>rs</sup>, the Committee dissolv'd it self into an House and Mr Speaker Reassum'd the Chair/

Order'd

That the said Instrument do lie on the Table, and the House again Resolv'd it self into a grand Committee of the whole House and m<sup>r</sup> Speak<sup>r</sup> Left the Chair

and after Some debates Mr Speak<sup>r</sup> Reasum'd the Chair

The Chair man of the Committee Reported that they had made Some further progress therein and praid leave to Sitt again

Resolved

That the said Committee Sitt again

The House Adjourn'd till to morrow morning nine a Clock

ffriday Decembr 6<sup>th</sup>. 1706

The House mett according to Adjournment.

The House according to yeasterdays Resolution Resolved it Self into a Committee of the whole House and m<sup>r</sup> Speak<sup>r</sup> left the Chair. And after Some Debates

Mr Speak<sup>r</sup> Reassum'd the Chair

The Chairman of the Committee Reported that they had ffinished their Report and that they were ready to deliver the Same, Order'd

That they report there oppinion thereof to morrow morning  
The House Adjourn'd till to morrow morning Nine a Clock

Saterday Decembr the 7<sup>th</sup>. 1706/

The House mett according to adjournment

According to Order Coll Risbee brought in a Bill ffor the Regulac'on of the Indian Trade which was Read a ffirst time and past with Amendments./

According to Order Mr Lewis pasquereau Reported ffrom the Committee to Examine and state the Acco<sup>ts</sup>. of Severall Masters of Vessells now goeing a way, that the Countrey is Indebted to Reports That William Banister Gunsmith be allowed instead of his ffull acco<sup>t</sup> the Sume of Eleven pounds, Resolved that the House agree with the said Committee in the said Acco<sup>t</sup>. The Committee Upon the Examinac'on of Cap<sup>t</sup> Thomas Spreads Acco<sup>ts</sup>: instead of allowing his acco<sup>t</sup>. being Two Hundred ffifty Seven pounds do allow him One Hundred Sixty one pound one Shill and ffive pence./

Upon Motion Orderd That George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> be Sent ffor to know whether he had any Shott in his Coustody or not belonging to Cap<sup>t</sup> Spread who Answer'd he had not,

The Question was put whether Cap<sup>t</sup> Spread should be allow'd ffor his Shott instead of twenty ffive shill, Twenty Seven Shill and Sixpence./

Carried in the Affirmative./

Upon the ffurther debate of the said Spreads Acco<sup>t</sup> and the Question being ask'd whether Cap<sup>t</sup> Spread should be allow'd his Expences or not

Carried in the negitive Nemine Contradicente



Resolved that Cap<sup>t</sup> Spread be allow'd but One Hundred Sixty one pound one Shill and ffive pence,

The Com<sup>i</sup>ttée upon the Examinac<sup>o</sup>n of Cap<sup>t</sup> John Loverings Acco<sup>t</sup> do allow him £53..4,,,6.

Resolved that the House do agree with the Com<sup>i</sup>ttée in the said Acco<sup>t</sup>.

The Committee upon the Examinac<sup>o</sup>n of Cap<sup>t</sup> George Watkins Acco<sup>t</sup>. do allow him Nineteen pounds ten shill and Eight pence

Resolved that the House agree with the Com<sup>i</sup>ttée in the said Acco<sup>t</sup>.

The Committee upon the Examinac<sup>o</sup>n of Cap<sup>t</sup> Arthur Halls acco<sup>t</sup> do allow him Sixty Seven pounds Eighteen Shill./

Resolved that the House do agree with the Com<sup>i</sup>ttée in y<sup>e</sup> said acco<sup>t</sup>.

Upon the Examinac<sup>o</sup>n of John Stevens Acco<sup>t</sup>. do allow him Six pounds

Resolved that the House agree with the Com<sup>i</sup>ttée in the said Acco<sup>t</sup>.

The Com<sup>i</sup>ttée upon the Examinac<sup>o</sup>n of Cap<sup>t</sup> John Kimbers acco<sup>t</sup> to allow him fferty Seven pounds ffour Shillings

And Two Hundred and ffour pounds ffor Carrying the prissio<sup>rs</sup>

Resolved that the House agree with the Committee in the said Acco<sup>ts</sup>.

The Committee upon the Examinac<sup>o</sup>n of Coll- Thomas Carys acco<sup>t</sup> thought fitt to reject the said Acco<sup>t</sup>.

Resolved that the House agree with the Committee in the said Acco<sup>t</sup>./

Upon Motion made by M<sup>r</sup> Lewis Pasquereau ffor ffinding out ways and means ffor the payment of the said Debts./

Orderd

That a Committee be appointed to Inspect into the Receiv<sup>rs</sup> Acco<sup>ts</sup>. and Report their Opinion thereof on Tuesday next and M<sup>r</sup> Lewis Pasquereau M<sup>r</sup> John Abra Motte M<sup>r</sup> John Ash and M<sup>r</sup> Arthur Middleton are appointed a Com<sup>i</sup>ttée accordingly

A Bill to Redress the misemployment of Lands Goods and Money heretoffore given or that Shall hereafter be given to Charitable Uses was Read the ffirst time and past with Amend-ments/

A Bill ffor the Establishing of a Society ffor the propogac'on of the Gospell &c<sup>a</sup> was Read a ffirst time and past with Amendments/

A Message from the Govern<sup>r</sup> and Councill by m<sup>r</sup> John Barnwell with two ffrench petitions/

Order'd

That they lie on the Table and translated into English

Orderd

That m<sup>r</sup> Arthur Midleton and m<sup>r</sup> James Moore Carry the three last bills read to the Govern<sup>r</sup> and Councill

The petition of Isacc Mazeique Merch<sup>t</sup> was read and Rejected

Upon Reading the petitions of Coll- Thomas Cary Esq<sup>r</sup> and John Dewilde praying that the Act may be Repealed wherein a Duty is laid upon Horses being brought ffrom the Northern Settlements and upon Motion Orderd that a Clause be brought in to Repeal the Said Act

Upon Reading the petition of Mary Bollard

Order'd that the Allegac'ons in the said petition Sett fforth be Referr'd to Coll- James Risbee and m<sup>r</sup> Thomas Barton—

Upon Motion Order'd that Cap<sup>t</sup> fitch have leave to depart the Service of this House till Wensday./

The House Adjourn'd till Monday morning nine a Clock/

Monday Decembr the 9<sup>th</sup>. 1706/

The House mett according to Adjournment

Motion being made by m<sup>r</sup> Henry Wigington that the Bill ffor Regulateing the Indian Trade be Committed to a Committee of the whole House./

The said Bill being beffore the Govern<sup>r</sup> and Councill who were not Sitting

Order'd that the said Bill be Sent ffor when they are an House./

A Message from the Govern<sup>r</sup> and Councill by M<sup>r</sup> Barnwell in Writeing

Order'd that it lie on the Table

The petition of John Stone Dielaplane and Sundry others praying that they may be Exempted ffrom the work of mending the High ways and that they may have longer time to ffinish the Road they have begun the Act being out.

Order'd

That Mr Ralph Izard prepare and bring in a Clause Accordingly An Additionall Bill to an Act Entituled an Act ffor Settling the Estate and Title of Cap<sup>t</sup> John fflavell & c<sup>a</sup>— was Read the first time and past with amendments—

The House is Adjourn'd to morrow morning nine a Clock

Tuesday Decembr the 10<sup>th</sup>. 1706/

The House mett according to adjournment

A Message from the Govern<sup>r</sup> and Councill by Mr Joh<sup>h</sup>. Barnwell wherein he gives his opinion that it is necessary to have all the malattoes banished off the Countrey that were taken in the late Invasion./

Read the Petition of Elizabeth Bellinger Widd— relateing to her late Husbands Estate being overcharg'd in the ffour thous<sup>d</sup>: pound Tax./

Order'd

That the said petition be rejected,

Read the Petition of m<sup>r</sup> Dove Williamson wherein he desires to have leave to bring in a Bill to Secure his Title to One Hundred and ninety acres of Land.

Order'd

That the Allegac'ons in the said petition be Refferr'd to the Considerac'on of Ralph Izard Esq<sup>r</sup> Mr Henry Wigington and Mr William Bull and they to report their opinion thereof to this House on Thursday next

Order'd

That Dr Henry Boulton party Concern'd do give his Attendance on the said Committee if he think fitt on Thursday next and that the Clerk of the House Sign this Order

Order'd

That m<sup>r</sup> John Pight ffor his Contempt to the Com'and of this House be taken into Coustody by the messenger attending this House and that m<sup>r</sup> Speak<sup>r</sup> Sign this Order/

The Committee to whome the Receiv<sup>rs</sup> acco<sup>ts</sup>: was refferr'd pray longer time to make their report

Order'd

That the said Committee have leave till to morrow morning to Report there Opinion thereof to this House



Order'd

That the Committee to whome it was Committed to Examine into the abuses done by the Indian Traders amongst the Indians do prepare and draw up Articles of Charge ag<sup>t</sup> John Musgrove and deliver them into the Table to morrow morning The House Adjourn'd till to morrow morning nine a Clock

Wensday Decemb<sup>r</sup> the 11<sup>th</sup>. 1706/

The House mett according to adjournment

According to Order m<sup>r</sup> Lewis Pasquereau Reported from the Committee to whome the publick Receiv<sup>rs</sup> Acco<sup>ts</sup>— was Committed that they had Examined the Same which he was Order'd to Report which he read in his place and afterwards deliver'd in at the Table

Order'd

That it lie on the Table

## Orderd

That the Committee to whome the publick acco<sup>ts</sup> was Committed be a Committee to find out ways and means ffor the payment of Such Debts as were Contracted by the publick in the late Invasion and that they Report their Opinion therein to morrow morning—

The Committee to whome it was Committed to prepare and draw up Sundry Articles of Charge against John Musgrove Indian Trader ffor Severall abuses by him Committed and done amongst our Neighbouring and ffriendly Indians Reported that they had ffinished the Same which were read and then deliver'd in at the Table. and are as ffolloweth Vizt.

First it is alledged and Charg'd upon the said John Musgrove that Some time in the month of \_\_\_\_\_ In the Year of our Lord 170 \_\_\_\_\_ he arbitrarily and of his own accord Charged and Rated the Creek Indians ffour Deer Skins a man under pretence of making a Present to the Govern<sup>r</sup> and hindred them ffrom goeing to Warr upon that accot.

2ly It is Alledged and Charg'd upon the said John Musgrove that he arbitrarily and of his own accord tooke and Receiv'd Sixteen Illcombee and Wacoca ffree people and made them his Slaves upon pretence that he would thereupon Sett the rest ffree when they were none of them at that time slaves

and that he the said John Musgrove in a like arbitrary and forcible maner tooke Six of the I:Awellies a free aplacia people and made and Sold them for Slaves/

3<sup>dly</sup> It is alledged and Charged upon the said John Musgrove that he arbitrarily and of his own accord tooke tooke a free Indian woman belonging to the Coolenne Town and brought her as a Slave to the Savanah Town and that he tooke a free Toomelean woman and made her a Slave./

5<sup>thly</sup> It<sup>1</sup> is alledged and Charged upon the said John Musgrove, That he the said John Musgrove arbitrarily and of his own accord tooke at one time Eight Worstera free people and made them Slaves/

6<sup>thly</sup> It is Alledged and Charged upon the said John Musgrove, that he the said John Musgrove arbitrarily and of his own Accord threatned the lives of the Tuckesaw Indian King and another unless they would give him four Slaves upon pretence that they had taken away his the said Musgroves and and One William Steads Indian Wives when at the Same time the said Musgrove and Stead had turn'd away their said wives on purpose, but at length Compounded with the said Tuckesaw King and the other Indian for three Slaves in Satisfaction for their wives but Pight rescued two of the said Slaves out of the said musgroves hand

7<sup>thly</sup> It is Alledged and Charg'd upon the said John Musgrove that he arbitrarily and of his own Accord tooke away from the Illcombeans or Wacoca Indians two Slaves one horse and Some say Six and others say Sixteen free<sup>2</sup>

Indians and made them Slaves upon pretence that the said Illcombean or Wacoca Indians had killed Severall of his Cattle./

Lastly It is alledged and Charged upon the said John Musgrove, that notwithstanding the free people of the Appelachies were by the Govern<sup>rs</sup> Order to Sett down Some where on the Savanah River, he has hindred and given the greatest discouragement he could for their so doing, of which Abuse their Casseiques did Complain or were Comeing to Complaine to the Govern<sup>r</sup>. and that the said John Musgrove dureing his abode

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<sup>1</sup>There is a blank space on the page between the 3rd and 5th allegations which was evidently left to be filled in later.

<sup>2</sup>A blank space was left before "Indians" with the evident intention of filling it in with the name of the tribe when learned.

amongst amongst the Indians has frequently and knowingly and presumptuously made use of the Govern<sup>rs</sup> name pretending he had Sometime Orders from him to go to Warr and no white man else should go at other times pretending he had the Govern<sup>rs</sup> Order to do Such things as he pleas'd tho' never so unwarrantable

Upon Motion Order'd that John Musgrove Attending below be sent ffor up and then the Articles of Charge was Read against him, which Articles he generally denied and then was Order'd to with draw./

Upon Motion the Question was put whether John Musgrove should be Committed to the Coustody of the Messinger Attending this House./

Carried in the Negitive

Orderd

That the said John Musgrove do Constantly attend this House till he Shall be discharged and not depart or go out of the Intrenchments about Charles Town upon pain of Incurring the displeasure of this House and of being thereupon Committed to the Coustody of the Messinger Attending this House and that the Messinger Serve him with a Copy of this Order and that Mr Speak<sup>r</sup>. Sign the Same./

Nicholas Trott Esq<sup>r</sup> Cheif Justice Sent the Messinger of this House to acquaint the Speak<sup>r</sup> that he had Some thing to Offer to the House and desires to be Admitted./

Upon Motion Order'd that two of the Members withdraw and know of the said Nicholas Trott, what it was he had to Offerr to this House and Mr Pasquereau and Midleton went down to him, being return'd, acquainted this House that the said Trott wanted to be heard in Relac'on to the Debt oweing to him ffrom the publick/

The House were of opinion that it was an unparliamentary way and thereffore would not Admitt him/

Upon Motion Order'd That Mr Thomas Barton and Cap<sup>t</sup> Edward Loughton do wait on the Govern<sup>r</sup> and desire his Hon<sup>r</sup> to Send back the Bill ffor Regulateing the Indian Trade

Orderd

That no Bills or Messages ffrom this House to the upper house be deliver'd till they are a house

Order'd

That the Committee to whome it was Committed to Examine into the abuses done by the Indian Traders amongst the the Indians do prepare and bring Articles of Charge ag<sup>st</sup> Probat Pight and Lucas

Resolved

That those members that are not hear when the List is Called over Shall forfeit Two Shill and Sixpence, /

The House Adjourn'd till to morrow morning nine a Clock

Thursday December the 12<sup>th</sup>. 1706 /

The House mett according to Adjournment. /

The Committee to whome it was Refferr'd to Consider of Ways and means ffor the payment of those persons goeing off Report We find in the Receiv<sup>rs</sup> Hands money bellonging to the Ministers Salary to the Sume of £456.,14<sup>s</sup>.,04<sup>d</sup>—

We find oweing to Severall of the said goeing persons Viz<sup>t</sup>

To Cap <sup>t</sup> Loveringe	— — — —	£53.,04.,06
To Cap <sup>t</sup> Watkins	— — — — —	£19.,10.,08
To Cap <sup>t</sup> Hall	— — — — —	£67.,08., „
To M <sup>r</sup> Stevens	— — — — —	£.,6., „ „
To Cap <sup>t</sup> Kimber	— — — —	£47.,04., „
To Cap <sup>t</sup> Spread	— — — —	£161.,01.,05
		<hr/>
		£354.,18.,07

All which Sums being taken out of the above £456,14.,04

There Remains ffor the Ministers — — — £101.,15.,09

Orderd

That the said Report lie on the Table

A Message ffrom the Govern<sup>r</sup> and Councill by the Hon<sup>ble</sup>. Thomas Broughton Esq<sup>r</sup> and Nicholas Trott Esq<sup>r</sup> with Sundry Bills

Coll- James Risbee Informed the House that Cap<sup>t</sup> George Watkins had been Overcharged in goods Imported to the Sume of Eight pounds Two Shill- and Seven pence and praid that this House would releive him in this and Order the Publick Receiv<sup>r</sup>. to allow him the said Sume of Eight pounds Two Shill- and Seven pence

Orderd



That the Publick Receiv<sup>r</sup>. do allow the Said George Wattkins the said Sume of Eight pounds two Shillings and Seven pence over charged in goods Imported—

The House Resolv'd it self into a Committee of the whole House to Consider the Indian Trade Bill and Mr Speak<sup>r</sup> left the Chair/

and after Sometime Spent therein Mr Speak<sup>r</sup> Reassumed the Chair/

Order'd

That the Bill be again Recomitted

Upon Motion Order'd that Anthony Probat goeing out of Town without leave from this House and haveing Severall Charges proved against him be taken fforthwith into the Custody of the Messinger Attending this House and that Mr Speaker Sign the Same

Decembr 12<sup>th</sup> 1706/

N<sup>o</sup> 1 Orderd that George Logan Esq<sup>r</sup> do pay out of the Overplus of the Money arriseing out of the Skin and ffurr act and appropriated ffor the payment of Ministers Salarys unto Cap<sup>t</sup> Arthur Hall the Sume of Sixty Seven pounds Eight Shillings being so much due unto him on the Ballance of his accot., on account of the late Invasion and that this Order be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

W<sup>m</sup> Rhett Speak<sup>r</sup>

In y<sup>e</sup> Upper House Read & Concurr'd to

N Johnson

N<sup>o</sup> 2 Order'd

Decembr 12 1706/

That George Logan Esq<sup>r</sup> do pay out of the Over pluss of the Money arriseing out of the Skin and ffurr Act and appropriated ffor the payment of Ministers Salarys unto Cap<sup>t</sup> George Watkins the Sume of nineteen pounds ten Shill- and Eight pence being So much due unto him on the Ballance of his accot., on account of the late Invasion and that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

In the Upper House Read & Concurr'd to

W<sup>m</sup>— Rhett speak<sup>r</sup>

N Johnson

Decembr 12<sup>th</sup>. 1706/

N<sup>o</sup> 3 Order'd that George Logan Esq<sup>r</sup> do pay out of the Overpluss of the Money ariseing out of the Skin and ffurr act and

appropriated ffor the payment of ministers Salary unto Cap<sup>t</sup> John Loveringe the Sume of ffifty three pounds ffour Shill- and Six pence being so much due unto him on y<sup>e</sup> Ballance of his accot, on account of the late Invasion & that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

In y<sup>e</sup> Upper House read & Concurr'd to W<sup>m</sup> Rhett Speak<sup>r</sup>.

N Johnson

Decembr 12<sup>th</sup> 1706/

N<sup>o</sup> 4 Order'd that George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> do pay out of the Over plus of the Money arriseing out of the Skin and ffurr Act and appropriated ffor the payment of Ministers Salarys unto Cap<sup>t</sup> Thomas Spread the Sume of One Hundred Sixty one pound one Shill and ffive pence being so much due unto him on the Ballance of his Accot, on account of the late Invasion and that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence W<sup>m</sup> Rhett Speak<sup>r</sup>—

In y<sup>e</sup> upper House read & Concurr'd to

N Johnson

N<sup>o</sup> 5 Orderd That George Logan Esq<sup>r</sup> do pay out of the over-plus of the Money Ariseing out of the Skin and ffurr act and appropriated ffor the payment of ministers Salarys unto John Stevens the Sume of Six pounds being so much due unto him on the ballance of his accot, on account of the late Invasion And that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence W<sup>m</sup> Rhett Speak<sup>r</sup>

In the Upper House read & Concurr'd to

N Johnson

Decembr 12<sup>th</sup> 1706/

Orderd that George Logan Esq<sup>r</sup> do pay out of the over plus of the Money ariseing out of the Skin and ffurr act and Appropiated ffor the payment of Ministers Salarys unto Cap<sup>t</sup> John Kimber the Sume of forty Seven pounds four Shill- being so much due unto him on the Ballance of his accot. on Account of the late Invasion And that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence

W<sup>m</sup> Rhett speak<sup>r</sup>

In y<sup>e</sup> Upper House Read and assented to

N Johnson

The House Adjourn'd till to morrow morning Nine a Clock.

ffriday Decemb<sup>r</sup> the 13<sup>th</sup> 1706/

The House mett according to Adjournmt.

Upon Debateing what any Indian Trader or persons tradeing with the Indians should give ffor their Licence and the Question being put whether they Should Pay Eight pounds ꝑ Annum ffor their Licencies besides the other Charges/

Carried in the Affirmative./

According to Yeasterdays Resolutions

The House Enter'd into a Grand Committee of the whole House upon debateing the Indian Trade Bill and M<sup>r</sup> Speak<sup>r</sup> left the Chair, and after Sometime Spent therein

M<sup>r</sup> Speak<sup>r</sup> Reassum'd the Chair/

The Chairman of the Committee Reported that they had come to a Conclusiion and praid time till to morrow morning to Report their Opinion thereof

Order'd that he have leave till to morrow morning to make his Report

M<sup>r</sup> Ralph Izard and M<sup>r</sup> Henry Wigington to whome the Allegac'ons of M<sup>r</sup> Dove Williamson Petition was Referr'd, Report that they find the allegac'ons in the said Petition to be true. And brought in a Bill Entituled a Bill to Confirm a Decree made and Enroll'd in the High Court of Chancery &c<sup>a</sup> which was Read the ffirst time and past with Amendments/

An Additionall Bill to An Act Entituled an Act to Enable M<sup>rs</sup> Sarah Rhett Administrat<sup>x</sup>. to the will Annexed to Sell Land &c<sup>a</sup> was Read the ffirst time and past with Amendments

The Committee to whome it was Referr'd to draw up and prepare Sundry Articles of Charge against John Pight Anthony Probert and James Lucas Indian Traders and partners in the said Trade relateing to the abuses by them Committed ag<sup>st</sup> the Indians Reported that they had ffinished the Same which were read and then deliver'd in at the Table and are as ffolloweth Viz<sup>t</sup>.

ffirst It is alledged and Charged

They the Said John Pight, Anthony Probert and James Lucas or one or more of the said Partners on the       day of       in the year of Our Lord One Thous<sup>d</sup> Seven Hundred &

arbitrarily and of his or their own accord bought of an Indian named Tomichee ten Indians which were free and which he or they knew to be free and made Slaves of them/

2<sup>dly</sup> It is Alledged and Charged that they the said John Pight, James Lucas, and Anthony Probert or one or more of them in Company bought or otherwise procur'd these Severall Indian free people knowing them to be free & made them Slaves Viz<sup>t</sup>.

7 Waucoogau free people bought of Toomichau

2 Illcombee free people of D<sup>o</sup>

2 free people of the Tookesa King

1 Toomela free boy bought of D<sup>o</sup>

1 free Illcombe woman & her Sister

1 free Illcombe woman & two Children

2 Tomillee free woman by name Colloose and Aukilla

1 Toomillee boy In all 20 free people./

3<sup>dly</sup> It is Alledged and Charged that the said John Pight James Lucas and Anthony Probert some or all of them received positive Orders from the Govern<sup>r</sup> to discharge and Sett free the Illcumbee and other Indians Afforesaid Yet they or Some or one of them Contemptuosly and willfully disobey'd the afforesaid Com<sup>ds</sup> to the great danger and Hazard of this Collony, by provokeing the Indians in Such a manner and made Some Slaves after they or one of them were made acquainted with said Order/

Upon Reading the petition of John Musgrove Indian Trader his Examinac<sup>on</sup> being to be to day praid it might be defferr'd longer not haveing his papers in Town

Orderd

That the Examinac<sup>on</sup> of the said Musgrove be defferr'd till Monday next

An Additionall Bill to an Act Entituled an Act to Continue an Act Entituled an Act ffor laying an Imposition on furs &c<sup>a</sup> was Read a first time and past with amendm<sup>ts</sup>,

A Bill ffor ffounding a Gram<sup>r</sup> School &c<sup>a</sup> was read a first time and past with Amendments

A Bill ffor the Erecting a new brick Church in Charles Town was Read the first time and past with Amendm<sup>ts</sup>

The House Adjourn'd till to morrow morning nine a Clock



Saturday Decembr the 14<sup>th</sup> 1706/

The House mett according to Adjournment

Upon Reading the Petition of Mr Hugh Grange Gent.  
Praying to be heard in Relac'on to the Bill Entituled a Bill  
ffor the misimployment of Lands Goods and money heretofore  
given or that Shall be hereafter given to Charitable Uses  
Order'd

That Mr Hugh Grange and Mr William Nash and his  
Wife do Attend this House on Tuesday next where they shall  
be heard in relac'on to the said Bill./

Coll- James Risbee Reported from the Committee of the whole  
House to whome the Indian Tradeing Bill was Committed Re-  
ported that they had ffinished the Same and had come to Sev-  
erall Resolutions w<sup>ch</sup> he read and then deliverd in at the Table  
and are as ffolloweth

Viz<sup>t</sup>

That

That a Clause be Inserted in the said Bill to Secure the Yam-  
asee Traders

A Clause to provide ffor the Tradesmen liveing amongst the  
Indians

No Rum or any other Spirits to be Carried amongst the In-  
dians and to be perticularly inserted in the Bond—

The Instructions given to the Indian Traders to be as the  
Commissio<sup>rs</sup> shall think ffit

The Agent shall be Obliged to go twice Every Year where and  
as Offten as the Commissio<sup>rs</sup> shall think ffit

The Agent to give Bond with Sureties.

The Commissio<sup>rs</sup> to meet twice a year

The Seal of the Agent and the Commissio<sup>rs</sup> to be alike

One Hundred and fifty pound ꝯ Annum for the Agents Salary  
Resolved

That the House agree with the Committee in the said Report,  
The Govern<sup>r</sup> to be Address'd to Receive the p<sup>r</sup>sents from the  
Indians as usuall and the Question being put whether he Should  
be address'd or not

Carried in the negative./

Upon Motion Order'd that the Indian Trade Bill be again  
debated on Tuesday morning./

Read the Petition of John Cock Jun<sup>r</sup> Relateing to the Lookout on Sullivants Island

Order'd

That the said petition lie on the Table./

Upon Reading the petition of John Pight now in Coustody of the messinger of this House

Order'd

That the said John Pight be discharged from the Coustody of the Messinger Attending this House paying his ffees and that m<sup>r</sup> Speak<sup>r</sup> Sign this Order/

Order'd

That the said John Pight do Constantly Attend this House till he Shall be discharged and not to depart or go out of the Intrenchments about Charles Town upon pain of Incurring the displeasure of This House and of being thereupon Committed into the Coustody of the Messing. attending this House and that the Messinger Serve him with a Copy of this Order and that M<sup>r</sup> Speak<sup>r</sup>— Sign the Same./

Order'd that the Committee to whome the Considerac'on of the Indian Trade was Committed do Sitt again to Examine those Indians now in Town.

M<sup>r</sup> Lewis Pasquereau praid leave to bring in a Bill ffor the more Speedy Com'encement and prosecution of Suits in Law in the Court of Com'on pleas which was Read the ffirst time and past with Amendment

Motion being made by m<sup>r</sup> Dove Williamson that the Govern<sup>r</sup> be Requested to Send ffor James Child and Anthony Probat

Orderd

That the Govern<sup>r</sup> be Address'd on Monday next

The House Adjourn'd till Monday One a Clock./

Monday Decembr the 16<sup>th</sup> 1706/

The House mett according to Adjournment, and then Adjourn'd till to morrow morning nine a Clock—

Tuesday Decembr the 17<sup>th</sup>. 1706/

The House mett according to adjournment

A Message from the Govern<sup>r</sup> & Councell by m<sup>r</sup> Barnwell with Sundry Bills, who Infform'd this House that his Hon<sup>r</sup> was of

the opinion that the Vessell Seen of so often is an Enemy and that he thinks it convenient that a Vessell Should be Sent out to know if she be an Enemy or no./

Resolved That this House is of opinion that the Govern<sup>r</sup> Send out a Vessell accordingly provided that the men go voluntarily and not upon Wages./

Resolved

That this House will emedietely Resolve it self into a Com'ittee of the whole House to hear the Charge against John Musgrove and m<sup>r</sup> Speak<sup>r</sup> left the Chair./ and after sometime M<sup>r</sup> Speak<sup>r</sup> Reasumed the Chair./

The House Adjourn'd till 1/8 an hour after three this Afternoon

The House mett according to Adjournment

Resolved that this House will be a Committee of the whole House to hear the Charge against the Indian Traders and M<sup>r</sup> Speak<sup>r</sup> left the Chair./ and after some time Spent therein

M<sup>r</sup> Speak<sup>r</sup> Reasum'd the Chair

The Chair man of the Grand Committee Reported that they had made an End of their Report and praid leave till to morrow morning to make his Report./

Order'd

That the said Chairman have leave till to morrow morning to make his Report./

The House Adjourn'd till to morrow morning nine a Clock/

Wensday Decembr 18<sup>th</sup> 1706/

The House mett according to Adjournment

Upon Reading the Bill relateing to the Indian Trade and the Question being put whether the Clause wherein the Govern<sup>r</sup> and the Succeeding Govern<sup>rs</sup> should be allow'd two Hundred pounds  $\text{£}$  Annum in lieu of his or their presents ffrom the Indians be Inserted or not

Carried in the Affirmative./

The Queston being put whether the Govern<sup>r</sup> shall be paid out of the proffitts which will arise by the Indian Trade only

Carried in the Affirmative

The Question being put whether the Agent shall be paid out of the proffitts which will a'rise by the Indian Trade If not Sufficient the Remaind<sup>r</sup>. to be paid out of the publick Treasury

Carried in the Affirmative.

The House Adjourn'd till ffour a Clock

The House mett according to Adjournment

Upon the ffurther debate of John Cock Jun<sup>rs</sup> petition

Order'd

That M<sup>r</sup> Thomas Barton and Cap<sup>t</sup> Edward Loughton wait on the Govern<sup>r</sup> and desire his Hon<sup>r</sup> would put John Cock Jun<sup>r</sup> on the Island as the Look out./

The House Adjourn'd till to morrow morning nine a Clock/

Thursday Decemb<sup>r</sup> 19<sup>th</sup> 1706

The House mett according to Adjournm<sup>t</sup>.

Upon Reading the Bill relateing to the Indian Trade and the Question being put whether M<sup>r</sup> Dove Williamson should be Agent./

Carried in the negative/

According to Yeasterdays Order Cap<sup>t</sup> Edward Loughton Inform'd the House that they had been with the Govern<sup>r</sup> and had Infform'd his Hon<sup>r</sup> that this House desired he would put Cap<sup>t</sup> Joe Cock Jun<sup>r</sup> Lookout on on Sullivants Island who told them he would and that this House would pay James Bassfford dureing the time he has been on the Island./

A Message from the Govern<sup>r</sup> by m<sup>r</sup> Barnwell praying that this House would Examine these Indians now in Town.

Order'd that the Committee appointed to Examine into the abuses of the Indian Trade Sitt again and Examine these Indians now in Town and make Report thereof to this House to morrow morning

A Bill ffor Regulateing the Indian Trade was read a Second time and past with a Mendments

A Bill to Confirm a decree made in the High Court of Chancery &c<sup>a</sup> was Read a Second time and past with amendments./

An Additionall Bill to an Act to Enable M<sup>rs</sup> Sarah Rhett Administratrix &c<sup>a</sup> of the Estate of Jonathan Amory to Sell lands &c<sup>a</sup> was Read a Second time and past with Amendments./

Read the Petition of Cap<sup>t</sup> Rob<sup>t</sup> Daniel praying That the Town Lotts bellonging to Coll- Rob<sup>t</sup> Daniel may be piled in at the publick Charge./

Read the Petition of Susannah Wilkinson praying leave to bring in a Bill to Sell land ffor the payment of Debts—



Order'd

That Coll- James Risbee and Cap<sup>t</sup> Rob<sup>t</sup> Seabrook be a Committee to Examine into the Allegacons of the said petition and Report their opinion to this House./

Coll- James Risbee Reported from the Comittee to Examine into the Allegac'ons of M<sup>rs</sup> Mary Bollards Petition that they had Examined the Same and that the Allegac'ons in the said petition Sett fforth are true./

Ordred

That the said Mary Bollard have leave to bring in a Bill according to the desire of her said Petition./

The House Adjourn'd till to morrow morning nine a Clock.

ffriday Decemb<sup>r</sup>. 20<sup>th</sup>: 1706

The House mett according to Adjournment

According to Yeasterday Order Coll- Risbee Reported from the Committee appointed to Examine into the further Estate of the Indian Trade, as ffolloweth Viz<sup>t</sup>

The Illcombee Indians Inform's that they mett Anthony Probat and the other Indians by the way to Town w<sup>ch</sup> said Indians told them they had no occas'on to come to Town ffor that they had done the buissiness already and perswaded them to go back with them which they Reffuseing, telling them they had been to tell their Story, and we will now go to tell ours upon which the said Indians in Company with Probat Replied that if the Illcombees were not declared Slaves they would go home and Kill them all Probat Still Standing by, but would not say a word./

Philip Gilleard } Declares, that the long Doctor Musgrove and  
on Oath } others haveing writt and Sign'd a Letter to  
the Govern<sup>r</sup> Concerning the Reasonableness of the Illcombee  
Indians being free people, and came in as ffriends, the said  
Pight Industriously perswaded those persons that Sign'd Said  
Letter (Excepting Musgrove and the long Doctor) to Contra-  
dict the Same and fformed a Letter himselfe to that purpose  
which he would have had him the said Gillard and others Sign  
Also declared that Pight would have had him said Gillard  
Musgrove and Severall others gone out when they heard the

Illcombee Indians were comeing in in peace to have taken them and made them Slaves/

Theop<sup>l</sup>: Hastings }  
 on Oath } Confirms the fforgoeing, and Saith that  
 Pight Probat and Lucas Sign'd a Letter to him perswadeing  
 him also to contradict what he had writt to the Govern<sup>r</sup> and  
 to acquaint the Govern<sup>r</sup> that the long Doctor perswaded him  
 the said Theophilus ag<sup>st</sup> his Will./

He ffurther said when Pight, probat and Lucas was with him  
 in the Round House at a Consultation about their being Slaves  
 they were Affraid least the Indians would rise upon them that  
 they desir'd Said Theophilus to loade all his Gunns he had in  
 his House./

Read the Petition of John Musgrove and Order'd that the said  
 petition be rejected

A Message to the Govern<sup>r</sup> and Councill by Cap<sup>t</sup> Rob<sup>t</sup>. Seabrooke  
 and M<sup>r</sup> Dove Williamson

May it please your Hon<sup>r</sup>.

This House being now about to Order the punishmt of  
 Severall Traders ffor their Offences in the Indian Trade and  
 ffor the great danger they by their Imprudence in the said  
 Trade are like to bring this Collony under and upon Examinac<sup>on</sup>  
 of Anthony Probat (and James Child in the fformer Sessions of  
 Assembly we ffound the said Child Guilty of Severall hanious  
 Actions, and haveing then not time to Order the prosecution of  
 the said Child) thereffore desire your Honour to take Some  
 Speedy Care to Order the said Anthony Probat and James  
 Child down into this Settlement to Answer to Such things as  
 Shall be alledged against them

W<sup>m</sup> Rhett Speak<sup>r</sup>,

Resolved

That it appears to this House that John Musgrove John Pight  
 Anthony Probat and James Child are guilty of notorious Crimes  
 Committed amongst the Indians

Motion being made by Cap<sup>t</sup> Robert Seabrooke that John Mus-  
 grove John Pight James Child and Anthony Probat be pre-  
 sented by the Attorney Gen<sup>l</sup>:

Order'd

That the said John Musgrove John Pight James Child and Anthony Probat depart not out of the Settlement but give undeniable Security by Bond so to do till Such time they are discharg'd by due Course of y<sup>e</sup> Law—

Order'd

That M<sup>r</sup> Attorney Generall do prosecute the said John Musgrove John Pight James Child and Anthony Probat

A message from the Govern<sup>r</sup> and Councill by m<sup>r</sup> Barnwell with Sundry Bills

A Bill to Enable M<sup>rs</sup> Mary Bollard to Sell Land ffor the payment of Debts &c<sup>a</sup> was Read the ffirst time and past with Amendments/

Order'd that the said Bill with the Indian Tradeing Bill be Sent to the Govern<sup>r</sup> & Councill

upon Motion Order'd that a Committee be appointed to draw up an Address to the Govern<sup>r</sup> in answer to Severall Messages and Ralph Izard Esq<sup>r</sup> M<sup>r</sup> Arthur Middleton and m<sup>r</sup> Lewis Pasquereau were appointed a Committee accordingly

The the Right Hon<sup>ble</sup> S<sup>r</sup> Nathaniel Johnson Kn<sup>t</sup> Govern<sup>r</sup> &c<sup>a</sup>  
May it please your Hon<sup>r</sup>.

The Apprehensions that divers assemblies have had of the danger Impending over this Collony by the Abussies and Irregularities Committed amongst the Indians hath occasioned the Com'ons to Endeavour to Redress the Same but have from time to time been frustrated of their good Intentions by reason of y<sup>e</sup> Intrest that the Upper House have had in the Indian Trade, The dangers have been so apparent to your Hon<sup>r</sup>, who have been for a long time an Inhabitant amongst us that you have Constantly press'd it to the Considerac'on of the Assemblies Since your Hon<sup>rs</sup> Comeing to the Government Especially at the opening of the last Sessions of this Assembly In these Term's (I would not have you think Gentlemen that either relac'ons or any perticular Intrest will have or hath any Byass with me where the Safety of the publick is in Danger Therefore be assur'd Gentlemen I will heartily Joyn with you in this or what else in your Hon<sup>rs</sup> gracious Speech at the opening of this p<sup>r</sup>sent Sessions in the Thirteenth paragraph In these words (I must againe put you in mind of the Indian Trade w<sup>ch</sup> will undoubtedly bring us under Ill Circumstances

with the Indians by the multitude of Indian Traders that now more and more pester that Trade w<sup>ch</sup> number for their own Advantage value not what the Consequence will be of which I doubt not but this Sessions will give you an Instance) in trust and Confidence of the aforesaid gracious Speeches notwithstanding our fformer disappointm<sup>ts</sup>. the danger from the abusies dayly increaseing upon us Wee humbly Offer'd a Bill to your Hon<sup>r</sup> to be passt into a Law w<sup>ch</sup> was Return'd to us with amendments Contrary to our hopes and Expectations, Whereas it is the opinion of this House that as the Indian Tradeing Act was ffirst Offer'd your Hon<sup>r</sup> was no ways divested either of power over the Indians or any proffitt you might have Received from the Indians were left untoucht in the said act

The design of the Act being to regulate the abussies Committed by the Indian Traders and in Order thereunto to Constitute a power (w<sup>ch</sup> your Hon<sup>r</sup> hath not at present) to hinder persons ffrom goeing to trade amongst the Indians, but under Such Regulac<sup>ns</sup> and Restrictions as Should be thought reasonable ffor the Safety of this province as was Express'd in the said Act./ And this House does ffarther represent to your Hon<sup>r</sup> that it is the opinion and Resolution of this House that the said Indian Tradeing Act as it was presented to your Hon<sup>r</sup> is absolutely necessary to be pass'd ffor the peace and Safety of this province, and the House was the more Confirm'd by reason that they did not ffind that your Hon<sup>r</sup> made any Objection against this Act as not being in it self Just and reasonable and ffor the Intrest and Safety of this province therefore this House did not in this Act doubt your Hon<sup>rs</sup> Ready Compliance to their Just demands, And this House doth Conceive that they have good reasons from yo<sup>r</sup> Hon<sup>rs</sup> promise to them to Insist upon your Hon<sup>rs</sup> passing and Ratifying the said Act, and doth think it unreasonable that your Hon<sup>r</sup> should now Insist upon an Equivalent, Especially when neither proffitt nor power was Intended to be taken from you by the said Act, notwithstanding your Hon<sup>r</sup> demanded an Equivalent, In Considerac<sup>on</sup> of which you propos'd to relinquish all pretences to presents that had been used to be received by your Hon<sup>r</sup> and the preeceeding Govern<sup>rs</sup>, which we thought we had liberally and generously provided ffor by Settling on your Hon<sup>r</sup> and your Successors two Hundred pounds a Year ffor ever, And it is the



opinion of this House that the said Two Hundred pounds ꝑ annum is more then yo<sup>r</sup> Hon<sup>r</sup> one Year with another can make of the said p<sup>r</sup>sents, althô in your Hon<sup>rs</sup> message to us it's termed penurious

The Obligac'on that lies upon the members of this House faithfully to Serve their Countrey and to discharge the trust reposed in them by the people of this province whome they represent Obliges them to acquaint your Hon<sup>r</sup> that they look upon the passing of this Act for Settling the Indian Trade so reasonable and necessary ffor the Safety of this province that in Case the Same is Reffuss<sup>d</sup> by your Hon<sup>r</sup>. they shall be Obliged in Duty to present this their Case not only to the Right Hon<sup>ble</sup>: the Lords propr<sup>ts</sup>: but also to her gracious Majesty and pray Releife./

Order'd that Mr Speak<sup>r</sup> Sign the above Address

W<sup>m</sup> Rhett Speak<sup>r</sup>.

Order'd

That the above address be presented to the Govern<sup>r</sup> by the whole House./

The House Adjourn'd till to morrow morning nine a Clock

Saturday Decembr 21<sup>st</sup>: 1706/

The House mett according to Adjournment

Mr Barton Reported that the Govern<sup>r</sup> and Councill would not accept of the Indian Tradeing Bill because because this House had alter'd their Amendments beffore desireing a Confferance.

Decembr the 21<sup>st</sup> 1706

Order'd

That George Logan Esq<sup>r</sup> Public Receiv<sup>r</sup> out of the publick Treasuary pay unto himselfe ffour Hundred Sixty Eight pounds Seven Shill- and one penny Money Borrowed of him in the late Invasion by the Govern<sup>r</sup> and Councill ffor the use of the publick and that this Order be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

Assented to in the Upper House

W<sup>m</sup> Rhett Speak<sup>r</sup>

N Johnson—

Whereas John Pight Indian Trader haveing been Charg'd with the Severall abuses by him Committed amongst the Indians

which he hath not Sufficiently Cleared himselfe of, but Still lies liable to Answer the Same./

Order'd

That the said John Pight do not presume to depart out of the Intrenchments about Charles Town untill the end of the next Gen<sup>l</sup> Sessions of the peace under pain of Incurring the Highest displeasure of this House./

Order'd

That the Govern<sup>r</sup> be desired to direct the Attorney Gen<sup>l</sup>. to prosecute the said Pight at the next Sessions of the peace ffor the said Abusses

Order'd

That Anthony Probat John Musgrove and James Child depart not ffurth<sup>r</sup> then Thirty miles from Charles Town upon pain of Incurring the Highest displeasure of this House and m<sup>r</sup> Speak<sup>r</sup> Sign this Order./

Order'd

That the Govern<sup>r</sup> be acquainted by m<sup>r</sup> Speak<sup>r</sup> that he may Send off the ffrench prissio<sup>rs</sup>. (Except the Officers already in the Countrey) in Vessells bound off Some in each Vessell

Decembr<sup>r</sup> the 21<sup>st</sup> 1706/

Order'd

That John Pight and John Musgrove be fforthwith taken into the Coustody of the Messinger attending this House till Such time that they give Secureity not to depart the Limitts allow'd them and then to be discharged paying their ffees and that M<sup>r</sup> Speak<sup>r</sup> Sign this Order/

The House Adjourn'd till the last monday in January next./

Monday January 27<sup>th</sup>: 1706/7

The House mett according to Adjournment and then Adjourn'd till to morrow morning nine a Clock./

Tuesday Jan<sup>r</sup> 28<sup>th</sup>: 1706/7

The House mett according to adjournment and then The House Adjourn'd till to morrow morning twelve a Clock./

Wensday Jan<sup>r</sup>: 29<sup>th</sup>.

The House mett according to Adjournment and then the House Adjourn'd till to morrow morning ten a Clock

Thursday Jan<sup>r</sup> 30<sup>th</sup>.

The House mett according to Adjournment and then adjourn'd till to morrow morning ten a Clock

Friday January 31<sup>st</sup>:

The House mett according to Adjournment

Order'd

That M<sup>r</sup> Thomas Barton and M<sup>r</sup> Lewis Pasquereau wait on the Govern<sup>r</sup> and acquaint him that this House was mett as a house./

A Message from the Govern<sup>r</sup> by M<sup>r</sup> Barnwell with an Answer to the Address Sent to the Govern<sup>r</sup> by this House as ffolloweth./ Viz<sup>t</sup>.

Gentlemen

The last Adjournment so soon Succeeded yo<sup>r</sup> angry address, that it was Impossible then to answer it otherwise it's probable my Resentments, had prevailed with me to tell you that neither policy or gratitude assisted at the Composure/

But now Gentlemen hoping that you are return'd with more moderate sentiments I shall be willing to overlook the harsh & unmerited treatment you gave me, and hasten to Expostulate with you on the Subject of our present differences./

It's undeniable true Gentlemen, that the Irregularities and abuses in the Indian Trade call ffor our Speedy redress, That I have frequently press'd it to the Considerac'on of fformer, as, well as this p<sup>r</sup>sent Assembly, and am Still (as much as ever) under the Apprehensions of Some ill Consequence if the Same be not Effected, and therefore with abundance of Satisfsaction received the Bill ffor the Regulation, ffully proposeing with my self to Comply with every thing therein which you in Hon<sup>r</sup> or reason could demand,

But that I might not be wanting to my self, I then Sent you a preevious message wherein I acquainted you that if you were not Conscious to your Selves that I had hitherto abused my power in that Affair, you would ffirst by a Vote of your House declare the Same as a necessary Vindication ag<sup>st</sup> those who hereafter might, be malicious enough to conclude, that the Reg-

ulations intended by the act were meant rather to restrain your Govern<sup>r</sup> than the Traders To which Request so necessarily due to my Hon<sup>r</sup>. and Reputation you would not vouchsafe the Com<sup>on</sup> civility of an Answer, but left me to y<sup>e</sup> prejudicial consequence of your Silence.

However, Gentlemen we read and return'd your Bill with Amendments the first time, and that I might leave the least Umbrage ffor a Jelousy that I purSued my own Advantage by the Act I wholly declined the power, and left it to the Hands of Such persons as you Should Commissionate, and waveing the Hon<sup>r</sup> (which nothing but my own Consent could take ffrom me) I contented my self with the Expectation of an Equivalent ffor those perquisites which pass'd ffrom me with that power And thereffore Sent a paragraph to be inserted to that purpose in the Bill part of which (respecting a present gratuity) you wholly rejected, and not without great reluctance agreed to allow me two Hundred pounds  $\text{£}$  annum in lieu of my Indian Perquisites which I also reffuss'd as too Small a Considerac<sup>on</sup> ffor the annual presents made me by the Indians nevertheless we read yo<sup>r</sup> Bill the Second time and returned it with Amendm<sup>ts</sup>.

Upon which without any preevious notice of your desires to attend me or of haveing a Conference upon the said Amendm<sup>ts</sup>. (the usual parliamentary method on Such occasions) you accost me with an Address of your whole House wherein amongst other things you say that the Bill offered me to be pass'd into a Law was returned you with Amendm<sup>ts</sup>. contrary to your hopes and Expectations, and why it should so Surprize you, I cant imagine or Comprehend unless you esteem your own proceedings infaliable./ which no parliament besides your Selves ever yet pretended to, or otherwise you grosely mistake the Ordinary method for a Bill offerr'd to be pass'd into a Law must first be Supposed to have passed its amendments and three times read and Ingross'd beffore it can be said to be Offer'd to the upper house to be pass'd into a Law which was not the Case of your Bill, but not to insist too much on that oversight you further offer three reasons (as I take it) why I ought to pass the Bill./

The first you draw from the ffrequent and earnest proposalls I made to Joyn with you in the Regulac<sup>on</sup> of the Indian Trade Secondly that as the Indian act was first offerr'd me I was



no way divested either of my power over the Indians, or my proffitts from their p<sup>r</sup>sents./

And Lastly that you think you have liberally and generously rewarded my resignation of my Intrest and right in the Indian presents by Settling on me two Hundred pounds  $\text{p}^{\text{a}}$  annum Concludeing your Address with Rude threatning language, as if you thought ffear or fforce were more prevalent with me then Reason or good manners,

To which I shall briefly answer ffirst that my earnest desires to have the Irregularities of the Indian trade redrest, is as an undeniable argument of the prosperity peace and Happiness I wish to this province Since I invite you my self to that ffavor, which ffomer parliament (tho' they bid high ffor it) could not obtaine from my predecessor but ffor you to Infferr an implicite consideration from Such proposalls is not only ffair but altogether unreasonable, ffor if you take this promise which you so much Insist on Viz<sup>t</sup>. (That I will heartily Joyn with you in this or what else may Conduce to our peace and Secureity) in its genuine and literall Sense you cant by the word (Joyn) but Suppose I meant y<sup>e</sup> takeing in your Assistance to Strengthen my power, nor did I ever expect to be otherwise understood, or reasoned out of so Considerable a perquisite of power and profit hitherto Enjoyed by all my predecessors Govern<sup>rs</sup> of this province from the begining of this Settlement as their unquestioned right,

But as I thought I did a great deal in being willing to Submitt the trade to a regulac<sup>on</sup>, so I Expected no less in Justice from you ffor the proffitts I should of necessity part with thereby, then an Equivalent gratuity to Support me under the Charges and Expences of my Government, and therefore wish posterity may not blame you ffor rejecting so advantagious and beneficial an Offerr./

Secondly your next reason why I should pass this Bill is grounded on a mistake, ffor ffirst, am I not (as the said bill was ffirst offered me) divested of my power, when I must associate nine Commissio<sup>rs</sup> of equall authority with my Self, and who (by a majority) may at any time act without me, and Secondly can I with any reason in the world expect presents from the Indians when they shall perceive I have no power



either to aide or Serve them, who thô of gross apprehensions will yet undoubtedly direct their presents to that Authority which can protect them

And Lastly according to your own acknowledgement the presents annually made by the Indians are at least as Considerable as that generous liberall Allowance (as you term it) of two Hundred pounds  $\text{£}$  annum and therefore you give me nothing.

But if you had wanted ffurther Inducement 'twas but looking back on my Services in the late alarum either respecting the Sickness or the Enemy were perhaps you might have mett with a Subject Sufficient both ffor your gratuity and liberality And thus Gentlemen haveing breifly answered your motives why I ought to pass the Bill, I hope by this time you are better Satisfied how litle reason you have to differ with me, and therefore

Once more I offerr you a Regulac'on of the Indian Trade but so that it may be safe to the Countrey Honourable and proffit-able to my self and no way Chargeable to the publick and withall (on better thoughts acquaint you) that I expect a Negative in that power, nor shall any Considerac'on whatever prevail with me to part with it. ffor Since their Lords<sup>pp<sup>s</sup></sup>, the Lords proprietors have lodged the power of the Government in my Hands, I know no reason why I may not be trusted herein by you also, the dangers on the back of us calling ffor my care in an Equall considerac'on with those before us, which if you will not so accept, and nothing must gratify your desires less then takeing the Regulac'ons wholly out of my hands I must and do protest against you ffor all the mischiefs and inconvenienceies that may happen thereby.

And therefore Gentlemen do not any more Charge the Upper House therewith who are ready to Comply with you in all things, that in Hon<sup>r</sup> or Justice you can demand of them And be assured that as I will not be menaced out of my right so I Shall at any time freely agree with you to refferr the Justice of this dispute to a higher power to Judge if it be reasonable whether a Govern<sup>r</sup> haveing but one Considerable perquisite of Hon<sup>r</sup> power and Intrest must on every turne (ffrom a ffalse Strein'd inference) resign it to a peevish and unreasonable demand

N Johnson

Order'd

That it lie on the Table./

A Message from the Govern<sup>r</sup> and Councill by Nicholas Trott and Henry Noble Esq<sup>rs</sup>. with Coppyes of Order's ffor Repealing two Acts &c<sup>a</sup>.

Order'd

That the said Orders be read which was done accordingly Motion being made by Cap<sup>t</sup> Edward Loughton that those Members that be absent be Sent ffor fforthwith by the Messenger Attending this House./

Order'd

That Cap<sup>t</sup> Jonathan fflitch m<sup>r</sup> John Cantey Cap<sup>t</sup> Christopher Wilkinson m<sup>r</sup> John Woodward m<sup>r</sup> Thomas ffarr m<sup>r</sup> W<sup>m</sup> Peters Dr James Williams and m<sup>r</sup> John Ash Members of this House absenting themselves ffrom the Service of this House be fforthwith Sent ffor by the Messinger Attending this house and that M<sup>r</sup> Speak<sup>r</sup>. Sign this Order./

The House Adjourn'd till to morrow morning nine a Clock

Saterday ffebruary the 1<sup>st</sup>.

The House mett according to adjournment./

Order'd

That a Committee be appointed to Inspect into the Receiv<sup>rs</sup>. Acco<sup>ts</sup>: and Report their opinion thereof on Tuesday next and that M<sup>r</sup> Lewis Pasquereau M<sup>r</sup> John Abraham Motte M<sup>r</sup> John Ash and M<sup>r</sup> Arthur Middleton be a Committee Accordingly

Order'd that the Receiv<sup>rs</sup>. lay his Acco<sup>ts</sup>: beffore this House./

Read the Petition of Severall of the Inhabitants of James Island/

Order'd

That the said Petition lie on the Table

Read the Petition of M<sup>r</sup> John Pight praying leave to have to have his Inlargement Equall with m<sup>r</sup> John Musgrove./

Order'd

That M<sup>r</sup> John Pight have the Same liberty as m<sup>r</sup> John Musgrove and that his Bond be void wherein he is obliged not to depart out of the Limitts of Charles Town./

Upon Reading the Petition of m<sup>r</sup> Shem Butler Relateing to his Negro Runaway./

Order'd

That the said Petition lie upon the Table./

The House Adjourn'd till Wensday morning nine a Clock.

Wensday february the 5<sup>th</sup>. 1706/7

The House mett according to Adjournment./

The Committee to whome the Receiv<sup>rs</sup> acco<sup>ts</sup>. was Comitted  
praid time till to morrow to Report their opinion./

Order'd

That the Com'ittee have time till to morrow to Report their  
Opinion

Order'd

That the Clerk of the House Affix up a paper at Some publick  
Places in Charles Town to give Notice to all persons to whome  
the Countrey is Indebted upon any Acco<sup>t</sup>. whatsoever that they  
bring in their Acco<sup>ts</sup> to the said Clerk in order to be laid beffore  
this House./ upon Motion

The Question being put whether m<sup>r</sup> Thomas ffarr should At-  
tend the Service of this House

It was Carried in the negative./

The House Adjourn'd till to morrow morning nine a Clock

Thursday february ye 6<sup>th</sup> 1706/7

The House mett according to Adjournment

Upon Motion Order'd that Coll- James Risbee and m<sup>r</sup> Thomas  
Barton wait on the Govern<sup>r</sup> and acquaint him that this House  
is mett w<sup>ch</sup> was done accordingly,

A Message from the Govern<sup>r</sup> and Councill by m<sup>r</sup> Barnwell that  
this House Attend them./

The House Attended the Govern<sup>r</sup> and Councill accordingly &  
being Return'd

The House Adjourn'd till two a Clock in the afternoon

The House mett according to adjournment

Upon Motion Order'd that M<sup>r</sup> Thomas ffarr attend this House  
to morrow morning and that M<sup>r</sup> Speak<sup>r</sup> Sign this Order

An Additionall Bill to an Act Entituled an Act to Continue  
an Act ffor laying an Imposition on ffurrs &c<sup>a</sup> was Read a  
Second time and pass'd with Amendments

Upon Motion Order'd that the powder Receiv<sup>rs</sup> Acco<sup>ts</sup>: be laid beffore this House and that all persons that has any powder of the publick's in their keeping give an Account thereof  
Order'd

That m<sup>r</sup> Barton & m<sup>r</sup> Midleton Carry the the above Bill to the Govern<sup>r</sup> & Councill./

A Bill ffor building a Brick Church in Charles Town was Order'd to be Recomitted ffor Amendments/

The Committee to whome the publick Receiv<sup>rs</sup> acco<sup>ts</sup> was Refferr'd praid longer time to report there opinion thereof  
Order'd

That they have leave till to morrow morning to make their Report

The House Adjourned till to morrow morning nine a Clock

ffriday february 7<sup>th</sup>: 1706/7

The House mett according to Adjournment

The Committee to whome the Receiv<sup>r</sup> Acco<sup>ts</sup> was Refferr'd Report

We ffind upon the Books, The Receiv<sup>rs</sup> accompts audited by a Committee of the House y<sup>e</sup> Twentieth of novembr last

1706 There was then Remaineing in his Hands appropriated

9<sup>r</sup>- 20 to build Churches - - - £829,,12,,3¼

Jan: 28 we ffind paid Since the 20<sup>th</sup>: of 9<sup>r</sup>. £496,,11,,2½

---

Remains £333,,01,,¾

In the ffund Appropriated to pay the ministers salary's

1706

Novem<sup>r</sup>:        15 There was in the Receiv<sup>rs</sup>. hands. £889,,04,,02  
                  23 He has Receiv'd    -    -    -    -    £75,,17,,03

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£965,,01,,05

Decem<sup>r</sup>: 26 Paid of Since the 15<sup>th</sup> Novembr-        £862,,15,,08

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Jan:        28 Remained in the Hands of the Rec<sup>r</sup>.        £102,,05,,09

In the ffunds Appropriated to pay the publick Credits.

1706

Novemb <sup>r</sup> 20 <sup>th</sup>	There was	-	-	-	-£140,,07,,08½
Jan: 24 <sup>th</sup>	There is come in	-	-	-	£399,,01,,09
<hr/>					
					£539,,09,,05½
28	Paid of	-	-	-	£284,,09,,01¼
<hr/>					

Remains in the Hands of y<sup>e</sup> Receiv<sup>r</sup>. - - £255,, ,04¼

Upon Motion Order'd that the Govern<sup>r</sup> and Councill be desired that the Lords Receiv<sup>r</sup>. give an Accot<sup>t</sup> of the moneys that was given by the Lords prop<sup>rs</sup>. towards the ffortifications what has been made use of and what is Still Remaineing in his Hands and That M<sup>r</sup> Thomas Barton and Cap<sup>t</sup> Edward Loughton wait on the Govern<sup>r</sup> accordingly./

The Powder Receiv<sup>r</sup> according to order brought in his accot<sup>ts</sup>.  
Order'd

That M<sup>r</sup> Thomas Barton Ralph Iazard Esq<sup>r</sup> Cap<sup>t</sup> David Davis and Coll- Risbee be a Committee to Examine the said accot<sup>ts</sup>.— and Report there opinion thereof to morrow Morning./

A Bill ffor the Erecting a new brick Church in Charles Town was Read a Second time and pass'd with amendments—

Order'd

That m<sup>r</sup> Middleton Carry the above Bill to the Govern<sup>r</sup> and Councill./

An Additionall Bill to an Act ffor laying an Imposition on Skins ffurrs &c<sup>a</sup>. was Read and Order'd to be Ingross'd—

The House Adjourn'd till to morrow morning nine a Clock—

Saterday ffebruary the 8<sup>th</sup>.

The House mett according to Adjournment

An Additionall Act ffor laying an Imposition on ffurrs &c<sup>a</sup>— was Read the Third time and past into a Law./

The Packers Act was Read the Third time and past into a Law

The Question being put whether any more Bills should be Read

Carried in the negitive

Motion being made and the Question being put whether the Speaker should Sign the Receiv<sup>rs</sup> accot<sup>ts</sup>: as the Same was adjusted by the Committee

Carried in the Affirmative



Order'd

That m<sup>r</sup> Speak<sup>r</sup> Sign the Receiv<sup>rs</sup> acco<sup>ts</sup>.

The Question being put whether the Address drawn up by the Committee ffor to dissolve this p<sup>r</sup>sent Assembly should be read

Carried in y<sup>e</sup> negative

Order'd

That m<sup>r</sup> John White and amiah Day do attend this House an hour hence./

The House Adjourn'd till two a Clock/

The House mett according to adjournment./

The Question being put whether the Orders hereafter men- c'oned should be Sign'd by the Speak<sup>r</sup>./

Carried in the Affirmative

Order'd that m<sup>r</sup> Speak<sup>r</sup> Sign the said Orders./

February y<sup>e</sup> 8<sup>th</sup> 1706/7

Order'd That George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> do pay out of the publick Treasury to Nicholas Trott Esq<sup>r</sup> the Sume of fifteen pounds fifteen Shill- ffor drawing of Severall Acts and that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

Assented to in the upper house

W<sup>m</sup> Rhett Speak<sup>r</sup>-

N Johnson/

Order'd that George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup> do pay out of the Publick Treasury to Cap<sup>t</sup>. John Collins the Sume of Six pounds ffor makeing use of his House this Sessions of Assembly And that this ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrence./

Assented to in y<sup>e</sup> upper house

W<sup>m</sup> Rhett Speak<sup>r</sup>

N Johnson

Order'd that George Logan Esq<sup>r</sup>. Publick Receiv<sup>r</sup> do pay out of the Publick Treasuary to Thomas Booth the Sume of Two pounds ten Shill-, ffor Ringing the Bell and that this Ordinance be Sent to the Govern<sup>r</sup> and Councill ffor their Con- currence

Assented to in y<sup>e</sup> upper House

W<sup>m</sup> Rhett Speak<sup>r</sup>.

N Johnson.

Order'd that George Logan Esq<sup>r</sup> Publick Receiv<sup>r</sup>— do pay out of the publick Treasuary to Thomas Hepworth Clerk of this House the Sume of fforty three pounds ten Shillings ffor his personall Attendance Pen Ink paper and Transcribeing the ffoul Journall & the Acts into the Books and that this Ordance be Sent to the Govern<sup>r</sup> and Councill ffor their Concurrance.

Assented to in the upper House

W<sup>m</sup> Rhett Speak<sup>r</sup>

N: Johnson

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